
APPEALS & APPELLATE DECISIONS

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NOTICE OF COMPLETION OF CLERK'S RECORD IN APPEALS Appellate Rule 10(C)

The Notice of Completion of Clerk's Record is due at the office of the Clerk of the Supreme Court, Court of Appeals and Tax Court thirty (30) days after the filing of the Notice of Appeal. It should substantially follow [Form App. R. 10-1](#), contained in the Sample Forms at the back of the Indiana Rules of Appellate Procedure and on the web. See <http://www.in.gov/judiciary/2708.htm>.

When completing and filing a Notice of Completion of Clerk's Record, please keep in mind the following:

- The rules require the filing of only **one** copy of the Notice of Completion of Clerk's Record with the Clerk of the Supreme Court, Court of Appeals and Tax Court;
- The rules require attachment of a certified copy of the Chronological Case Summary to the Notice;
- Check to see if a transcript was requested in the Notice of Appeal, and be sure to ascertain the current status of the transcript if requested; and
- The **issue date** of the Notice of Completion of Clerk's Record is the date that it is sent to the Clerk's Office **and served on the parties**. The certificate of service attached to the Notice must include the date that the Notice is served on the parties, the specific method of service, and specifically list the persons served by name. [Ind. Appellate Rule 24\(D\)](#). The rules require the specification of the date that the Notice is served on the parties, as well as the specific method of service, in the certificate of service attached to the Notice.
- **The Clerk's Record for an appeal in a "split" juvenile paternity (JP) case require preparation of a confidential and a non-confidential volume. See below.**

Accuracy in completing the Notice of Completion of Clerk's Record is **essential**. If a transcript was not requested or if the transcript is complete, the deadline for the Appellant's Brief is **set according to the date the Notice is served on the parties**. [Ind. Appellate Rule 45\(B\)](#). Therefore, mistakes or inaccuracies regarding the Notice can have significant effects on the parties and the court on appeal.

The timeline for the Notice of Completion of the Clerk's Record is initiated upon the filing of the Notice of Appeal with the office of the Supreme Court, Court of Appeals and Tax Court.

Parties cannot use the date of receipt of the courtesy copy of the Notice of Appeal that is emailed from the office of the Clerk of the Supreme Court, Court of Appeals and Tax Court to calculate the Notice of Completion of the Clerk's Record timeline.

Clerk's Record in a Split Juvenile Paternity (JP) Case

A split JP case is one that began before July 1, 2014 and was disposed by the trial court after July 1, 2014.

A special provision in Administrative Rule 9(G)(2)(k) makes all records and documents filed in a JP case before July 1, 2014 confidential. By statute, all records and documents filed after July 1, 2014 are not confidential.

What is the proper form to deliver the Clerk's Record to the Court of Appeals for this situation?

In this situation, the Clerk creates two volumes, one for public access on white paper with the confidential information redacted, and one CLEARLY MARKED "Confidential" or "Not for Public Access" on green paper which will contain only the portion of the record that is confidential.

The volume for public access should start with a notation that Admin. R. 9(G)(2)(k) makes all proceedings in a JP case occurring before July 1, 2014 confidential and that portion of the Clerk's Record will be in the confidential volume.

The confidential volume title page is required to be on green paper.

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